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PUBLIC DEPARTMENT.

NOTIFICATIONS.

Ootacamund, July 1, 1909.

No. 559.—The following Proclamation of the Government of India is re-published :—

HOME DEPARTMENT.

JUDICIAL.

PROCLAMATION.

Simla, the 1st July 1909.

No 925.—In exercise of the powers conferred by the Indian Councils Act, 1861 (24 and 25 Vict., cap. 67), section 47, the Governor-General in Council is pleased to declare that, for the purposes of the said Act, the Nugur, Albaka and Cherla talugas, which, by the Proclamation No 545, dated the 15th April 1909, have been declared to be subject to the Government of Madras, together with the Bhadrichalam taluq in the Godávari district, shall be included within the limits of the Madras Presidency.

No 560.—It is hereby notified that the Nugur, Albaka and Cherla talugas of the Central Provinces shall, on transfer to the Madras Presidency with effect from the 1st July 1909, be constituted into a separate taluq under the name of the *Nugur* taluq and shall form part of the Bhadrichalam Agency division of the Gódávari Agency.

(By order of His Excellency the Governor in Council.)

J. N. ATKINSON,
Ag. Chief Secretary.

JUDICIAL DEPARTMENT.

NOTIFICATIONS.

Ootacamund, July 1, 1909.

No. 368.—The following notifications of the Government of India are republished :—

HOME DEPARTMENT.

JUDICIAL.

Simla, the 1*st July* 1909

No 929.—In exercise of the powers conferred by the Indian High Courts Act, 1865 (25 and 29 Vict., cap. 15), section 3, the Governer-General in Council is pleased to authorize and empower the High Court of Judicature at Madras to exercise, within that portion of His Majesty's dominions in India which is comprised within the limits of the Nugur, Albaka and Cherla taluqas and the Bhadráchalam taluq and is not included within the limits of the places for which the said High Court was established, all such jurisdiction and powers as the said High Court may from time to time exercise in the scheduled districts of the Gódávari district of the Presidency of Madras.

LEGISLATIVE DEPARTMENT.

Simla, the 1*st July* 1909.

No. 5.—Whereas by Resolution passed by the Secretary of State for India in Council on the seventeenth day of January 1905, the provisions of section 1 of the Government of India Act, 1870 (33 Vict., c. 3), were declared applicable to the Bhadráchalam taluq of the Gódávari district in the Presidency of Madras, and to the taluqas of Nugur, Albaka and Cherla, which have, as declared in the Proclamation No. 545, dated the 15th April 1909, ceased, with effect from that date, to be subject to the Chief Commissionership of the Central Provinces and have become subject to the Government of Madras ;

And whereas the Governor of Madras in Council has proposed to the Governor-General in Council a draft of the following Regulation, together with the reasons for proposing the same ;

And whereas the Governor-General in Council has taken the draft and reasons into consideration and has approved of the draft, and the same has received the assent of the Governor-General on the first day of July 1909 ;

In pursuance of the direction contained in the said section, the said Regulation is now published in the *Gazette of India* and in the *Fort St. George Gazette*

REGULATION No. I OF 1909

A Regulation to declare the law in force in the Taluqas of Nugur, Albaka and Cherla and to authorize the levy of certain cesses therein and in the Bhadráchalam Taluq.

WHEREAS the taluqas of Nugur, Albaka and Cherla have, in pursuance of Proclamation No. 545, dated the 15th April 1909, issued by the Governor-General in Council under section 4 of the Government of India Act, 1865, with effect from the 1st day of July 1909, ceased to be subject to the Chief Commissionership of the Central Provinces and become subject to the Government of Madras ; 29 & 30 Vict., c. 17

And whereas it is expedient that the law in force in the territory comprised in the said taluqas should as far as possible be the same as the law in force in the taluq of Bhadráchalam in the Gódávari district of the Madras Presidency ;

And whereas it is also expedient to provide for the cost of maintaining roads and schools in the said taluqas and in the said taluq of Bhadráchalam ;

It is hereby enacted as follows :—

Short title

1. This Regulation may be called the Nugur, Albaka and Cherla Laws and Cesses Regulation, 1909

Laws to be in force

2. (*1*) Save as provided in sub-section (*2*), all enactments and all notifications, ordars, schemes, rules, forms and bye-laws issued, made or prescribed under enactments which immediately before the commencement of this Regulation were in force in the taluq of Bhadráchalam in the Gódávari district of the Madras Presidency and not in force in the taluqas of Nugur, Albaka and Cherla (hereinafter referred to as the said taluqas), shall come into force in the said taluqas on the commencement of this Regulation.

(2) Nothing in sub-section (1) shall be deemed to affect the following Acts of the Madras Council, namely :—

Mad. II of 1864. (a) the Madras Revenue Recovery Act, 1864;

Mad. III of 1895. (b) the Madras Hereditary Village Offices Act, 1895, and

Mad. I of 1908. (c) the Madras Estates Land Act, 1908.

Repeal of laws. 3. (1) Save as provided in sub-section (2), all enactments which immediately before the commencement of this Regulation were in force in the said taluqs and not in force in the said taluq of Bhadráchalam shall be deemed to be repealed on and from the commencement of this Regulation in the said taluqs.

(2) Nothing in sub-section (1) shall be deemed to affect the following enactments, namely :—

XVIII of 1881 as amended by XII of 1903. (a) the Central Provinces Land Revenue Act, 1881;

XII of 1886. (b) the Central Provinces Local Self-Government Act, 1883, section 41, sub-section (1);

XI of 1899 (c) the Agriculturists' Loans Act, 1884, sections 1, 4 and 6; and

(d) the Central Provinces Tenancy Act, 1898:

Provided that the Central Provinces Land Revenue Act, 1881, and the Central Provinces Tenancy Act, 1898, shall henceforth be construed in the said taluqs subject to the following modifications, namely :—

(a) the powers, duties and functions assigned to the Chief Commissioner of the Central Provinces by either of the said Acts or the rules made thereunder shall vest in the Governor of Fort St. George in Council, and, notwithstanding any provision therein subjecting such exercise, discharge or execution to the control, sanction or confirmation of the Governor-General in Council, all such powers, duties and functions may be exercised, discharged and executed by the said Governor in Council as he may think fit, or may be delegated by him to any subordinate officer, subject to such limitations as he may think fit;

(b) appeals shall lie from the decrees or orders passed by any Court or officer under the provisions of the said Acts to such Courts or authorities and subject to such conditions as the Governor of Fort St. George in Council may by rules prescribe.

Levy of certain cesses. 4. (1) The Governor of Fort St. George in Council may, by notification in the *Fort St. George Gazette*,—

(a) direct the levy of cesses on occupied lands in the said taluqs and in the said taluq of Bhadráchalam which shall constitute a fund or funds for the maintenance therein of roads and schools;

(b) prescribe by whom, at what rates, in what instalments and at what times such cesses shall be payable and make rules for their assessment and collection, and for the administration of the fund or funds so formed; and

(c) exempt any land from liability to pay the whole or any part of either of such cesses.

(2) Any cess levied under this section shall be recoverable as if it were an arrear of land revenue:

Provided that the cesses levied under this section shall not in the aggregate exceed the tax which would be leviable on the same land under the Madras Local Boards Act, 1884, if that Act were in force:

Mad. V of 1884.

Provided also that no cess shall be levied under this section on any land for any period for which any cess is levied on the same land for the same purpose under the provision of any settlement-record or any tax is levied on the same land under the Madras Local Boards Act, 1884.

Pending proceedings. 5. All proceedings pending at the commencement of this Regulation before any authority in the said taluqs shall be disposed of by such authority as the Governor of Fort St. George in Council may direct, and, save as aforesaid, shall be carried on as if this Regulation had not been passed.

J. M. MACPHERSON,
Secy. to the Govt. of India, Legislative Dept.

No. 369.—Under sections 7 and 8 of the Code of Criminal Procedure, 1898, and in modification of notification No. 412, dated the 12th September 1904, published at page 982 of the *Fort St. George Gazette*, Part I, of the 13th idem, the Governor in Council is pleased to declare that, from and after the 1st July 1909, the district of Gódávari shall include the taluqas of Nugur, Albáka and Cherla, which taluqas shall form part of the Bhadráchalam sub-division of the said district.

No. 370.—Under section 6 of the Scheduled Districts Act, 1874, the Governor in Council is pleased to declare that, from and after the 1st July 1909, the rules framed for the guidance of the Government Agent in Gódávari under the said section of the said Act and published in Notification No. 507, dated the 1st December 1885, at pages

824–26 of the *Fort St. George Gazette*, Part I, of the 9th idem, as amended by subsequent orders, shall apply to the taluqas of Nugur, Albaka and Cherla.

No. 371.—In exercise of the power conferred by section 4 of the Nugur, Albaka and Cherla Laws and Cesses Regulation, 1909, the Governor in Council is pleased to direct that upon the taluqas of Nugur, Albaka and Cherla being transferred to the Madras Presidency, road cess at 3¼ per cent. and education cess at 2 per cent. shall be levied upon the annual rent value of all occupied land. Such annual rent value shall be calculated in the manner laid down in section 64 of the Madras Local Boards Act, 1884, provided that in the case of waste land villages the cesses shall be levied at 5¼ per cent. on the annual rent value of the holdings and that no cesses shall be levied on the land held by Kotwars until the expiration of the term of the settlement now in force in the Central Provinces. His Excellency in Council is also pleased to direct, in regard to the Bhadrachalam taluk, that road and school cess shall be paid by all proprietors at the rate of 1¼ per cent. on the peshkash fixed in G.O., No. 460, Revenue, dated the 17th June 1890.

No. 372.—Under section 5 of the Nugur, Albaka and Cherla Laws and Cesses Regulation, 1909, the Governor in Council is pleased to declare that all suits commenced before any authority in the taluqas of Nugur, Albaka and Cherla before the 1st July 1909 and still pending on that day shall be disposed of in accordance with the rules framed for the guidance of the Government Agent in Gódávari under section 6 of the Scheduled Districts Act, 1874.

(By order of His Excellency the Governor in Council.)

J. N. ATKINSON,
Ag. Chief Secretary.

REVENUE DEPARTMENT.

NOTIFICATIONS.

Ootacamund, July 1, 1909.

No. 264.—The Governor-General in Council having, in exercise of the powers conferred by the Government of India Act, 1865 (28 and 29 Vict., cap. 17), section 4, been pleased to declare that the Nugur, Albaka and Cherla taluqas shall, from the 1st July 1909, cease to be subject to the Chief Commissionership of the Central Provinces and be subject to the Government of Madras, it is hereby notified that, from the same date, the said taluqas will, for the purposes of forest administration, be constituted a separate range and will form part of the Upper Gódávari Forest division.

No. 265.—In exercise of the powers conferred by section 6 (*c*) of the Scheduled Districts Act, 1874, the Governor of Fort St. George in Council is pleased to direct that the following officers under the Madras Government shall, in the taluqas of Nugur, Albaka and Cherla, respectively, exercise and perform, the jurisdiction, powers and duties assigned to the officers named against each by the Central Provinces Land Revenue Act, 1881, and the Central Provinces Tenancy Act, 1898, and the notifications issued thereunder:—

(1) Collector and Government Agent.	Commissioner.
(2) Head Assistant Collector ...	Deputy Commissioner, Assistant Commissioner and Extra Assistant Commissioner.
(3) Tahsildar	Tahsildar and Naib Tahsildar.
(4) Revenue Inspector	Revenue Inspector.
(5) High Court of Madras	Judicial Commissioner.

(By order of His Excellency the Governor in Council.)

A. G. CARDEW,
Secretary to Government.

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